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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,864	03/15/2004	Kunihiko Kodama	Q80466	1735

23373 7590 11/15/2005
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WASHINGTON, DC 20037

EXAMINER

LEE, SIN J

ART UNIT	PAPER NUMBER
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1752

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,864

Applicant(s)

KODAMA ET AL.

Examiner

Sin J. Lee

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 2,5,11 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of the amendment of August 31, 2005, previous 102(b) rejection on claims 1, 13, 7-10 and 12-14 over Kodama'130 and previous 102(e) rejection on claims 1 and 3-14 over Kodama'288 are hereby withdrawn.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

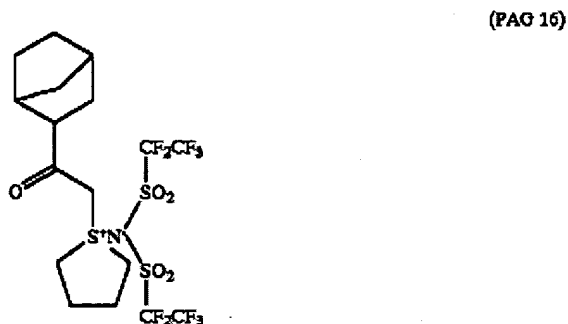
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

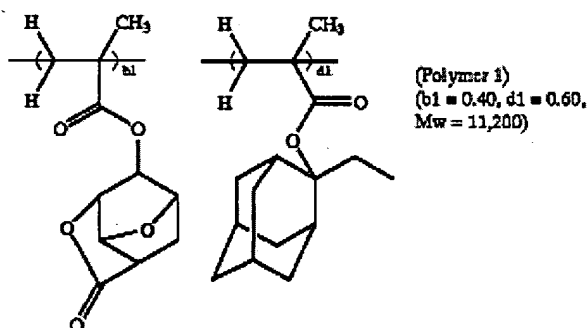
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 3, 7-10, 12-14, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Hatakeyama et al (US 2003/0207201 A1)

In Example 16 (see Table 1), Hatakeyama teaches a resist composition containing Polymer 1, PAG 16, and a basic compound (tributylamine).

PAG 16 is shown below



, and this compound teaches present compound of formula (I) (as well as present Y group (21) of claims 16 and 17). Polymer 1 is shown below;



Therefore, Hatakeyama teaches present inventions of claims 1, 3, 7, 8, 14, 16 and 17.

Hatakeyama also teaches ([0096]) that a dissolution inhibitor having a weight-average molecular weight within the range of 100 to 1,000 can be added to his resist material. Therefore, the prior art teaches present inventions of claims 9 and 10.

In [0146]-[0147], Hatakeyama also teaches that his resist material may also comprise a surfactant such as perfluoroalkylpolyoxyethylene ethanol. Therefore, Hatakeyama teaches present inventions of claims 12 and 13.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatakeyama et al (US 2003/0207201 A1).

Hatakeyama teaches (see [0037]) that his resin can be polyhydroxystyrene and that in a positive resist, the dissolution rate of a non-exposure part may be lowered by substituting the hydroxyl group of a phenol group with an acid-labile group such as those represented by formulas (AL10)-(AL12). Also, Hatakeyama teaches ([0038]) that in those formulas, R¹⁹ and R²² may comprises a hetero atom such as fluorine.

Therefore, it would have been obvious to one skilled in the art to use polyhydroxystyrene, in which the hydroxyl group of the phenol group is substituted by an acid-labile group of the formula (AL10) in which R¹⁹ comprises a fluorine atom, as Hatakeyama's base resin with a reasonable expectation of obtaining a high-resolution resist material. Therefore, the prior art's teaching renders obvious present inventions of claims 4 and 6.

7. Claims 2, 5, 11 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Hatakeyama does not teach or suggest present Y group of claims 2 and 15 having an adamantane structure.

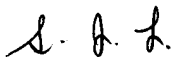
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Hatakeyama does not teach or suggest present resin (B) of claim 5 having a hexafluoro-2-propanol structure. Hatakeyama does not teach or suggest present negative stimulus sensitive composition of claim 11.

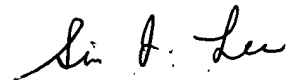
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



S. Lee
November 12, 2005



SIN LEE
PRIMARY EXAMINER